HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19541 of 2005

Dated 21st September, 2005

Between:

N. Sridhar Reddy .. Petitioner

And

The Station House Officer, Vemulapudi

Police Station, Nalgonda Dist. and two others .. Respondents

HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19541 of 2005

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not investigating the case, not taking steps on the petitioner's complaint as per law and not restoring his properties that were taken away by the accused, as illegal and arbitrary.

Respondents 1 and 2 filed a detailed counter affidavit stating that based on the complaint dated 23.7.2005 lodged by the petitioner, a case in Cr.No.87 of 2005 for the offence under Section 420 IPC was registered and investigation has been taken up. The police also examined as many as 11 witnesses and recorded their statements. Since the investigation does not make out a *prima facie* case under Section 420 I.P.C., the Sub-Inspector of Police requested the Sub-Divisional Police Officer, Miryalaguda to give permission to refer the matter as false.

In view of the counter allegations, the writ petition is devoid of merits and is dismissed. No costs.

21.09.2005

bcj